UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/063,296	06/08/2001	Jonathan J. Cadiz	MCS-074-00	2754

45979	7590	03/07/2005

PERKINS COLE LLP/MSFT
P. O. BOX 1247
SEATTLE, WA 98111-1247

EXAMINER
ROSWELL, MICHAEL

ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 03/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
	10/063,296	CADIZ ET AL.
Office Action Summary	Examiner	Art Unit	
	Michael Roswell	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>13 September 2004</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is

   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-15,17-36 and 58-65</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-15,17-36 and 58-65</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage

      application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

1.   Claims 1-4, 6-11, 14, 15, 17-20, 33, 34, ~~and 58-64~~ are rejected under 35 U.S.C. 102(e)   *RB*

as being anticipated by Barrus and Trueblood.

2.   Regarding claim 1, Barrus teaches representing information of interest with at least one ticket, each ticket comprising a customizable dynamic encapsulated object (taught as a user's selection of a multimedia object for display, at col. 26, lines 19-22), using a viewer for defining how the information of interest is displayed (taught as a series of tests to determine the manner of display best suited for the content, at col. 26, lines 22-26), paring at least one viewer with each ticket (taught as the display of the multimedia object, at col. 26, lines 29-32), and hosting at least one "ticket and viewer" pair in at least one container on a display device, wherein each ticket is represented by a thumbnail displayed in one of the containers (taught as displaying a thumbnail image of selected information in a window, at col. 21, lines 28-33). Furthermore, it is well known in the art that windows may be moved to a location on the screen suitable to a user, such as off to the sides of the display, making the window a "sidebar".

Barrus fails to explicitly teach the display of containers such that they are persistent, or not coverable by other application windows.

Trueblood teaches a method for always-visible windows that can be used to display information similar to the windows of Barrus used to display the "ticket and viewer" pair thumbnails, at col. 1, lines 8-11.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Barrus and Trueblood before him at the time of the invention to modify the thumbnail-containing window of Barrus to incorporate the always-visible state of Trueblood to obtain a window for viewing information that is not coverable by other application windows.

One would be motivated to make such a combination for the advantage of allowing a user to always have selected information visible on the display screen. See Trueblood, col. 2, lines 51-58.

3.   Regarding claims 2 and 3, Barrus shows using one or more services for automatically and dynamically tracking a current state of information of interest, and dynamically displaying the current state of the information on a display device, shown as the use of a dynamic updating module for the re-creation and display of a thumbnail image when the existing object has been modified, at col. 18, lines 10-13.

4.   Regarding claim 4, Barrus allows for the sharing of tickets, taught as the passing of a single multimedia message to multiple users, at col. 12, lines 60-63.

5.   Regarding claim 6, Barrus shows the aggregation of at least two tickets into at least one group, taught as the addition of supplemental electronic documents and audio clips into a multimedia message, at col. 12, lines 42-44.

6.   Regarding claim 7, Barrus teaches the display of a group as a group thumbnail within a container, taught as the thumbnail image representing a plurality of elements, at col. 25, lines 26-31.

7.   Regarding claim 8, Barrus teaches a multi-viewer being paired with a group, and allows for the multi-viewer to display a summary within the thumbnail of the information represented by the tickets comprising the group, taught as the thumbnail representation of many objects in a particular multimedia message, at col. 25, lines 26-31.

8.   Regarding claim 9, Barrus teaches a multimedia group wherein the group is expandable to show the tickets within the group, taught as the retrieval of a multimedia message object, at col. 26, lines 27-32.

9.   Regarding claim 10, Barrus shows a multimedia group at least two groups are aggregated into a nested group, taught as the use of nested multimedia messages, at col. 26, lines 34-36.

10.   Regarding claim 11, Barrus teaches a multi-viewer being paired with a group, and allows for the multi-viewer to display a summary within the thumbnail of the information represented by the tickets comprising the group, taught as the thumbnail representation of many objects in a particular multimedia message, at col. 25, lines 26-31.

11.   Regarding claims 14 and 15, Barrus teaches a multimedia group wherein the group is expandable to show the groups within the nested group, taught as the retrieval of a multimedia

message object which may be a nested message, and allows *supra* for the expansion of groups in order to show their tickets, at col. 26, lines 27-32.

12.   Regarding claim 17, Barrus shows the sharing of tickets between the first user and the at least one additional user by sending at least one ticket as an email attachment, taught as the attaching of a media object to an e-mail message, at cols. 1-2, lines 61-67 and 1-2.

13.   Regarding claim 18, Barrus teaches the sharing of tickets between the first user and the at least one additional user by saving each ticket to a computer readable medium, and providing the computer readable medium to the at least one additional user, taught as a server accepting changes to a multimedia message and updating any interested parties of the changes, at col. 27, lines 14-16.

14.   Regarding claim 19, Barrus shows dragging and dropping at least one ticket from a remote web site to at least one user display device, taught as dragging and dropping an image off of a web page and into a multimedia message window, at cols. 20 and 21, lines 35-42 and 13-17.

15.   Regarding claim 20 and 33, Barrus teaches paring a ticket dropped within a container with a compatible viewer, where the information represented by the dropped ticket is automatically displayed as a thumbnail within the container, taught as the automatic generation of an object thumbnail upon the completion of the drag-and-drop method, at col. 21, lines 28-38.

16.   Regarding claim 34, Barrus teaches each ticket represented by an XML data structure,

taught as an XML representation of a multimedia message, at cols. 11-12, lines 65-67 and 1-4.

17.   Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Barrus and

Trueblood.

        Barrus and Trueblood have been shown *supra* to teach the storing of "ticket and viewer"

pair thumbnails in always visible containers on a display. However, Barrus fails to explicitly

teach the resizing of a container so that any thumbnails hosted in the container are

automatically resized after resizing the container. It is well known in the art that the resizing of

windows can also serve to resize the contents within them. For example, the resizing of many

multimedia video player windows, such as the Winamp media player, also resizes the media

accordingly. Furthermore, many text and image editors exist that allow for the resizing of the

text and images within them by simply resizing the container they are displayed in. The

Examiner takes OFFICIAL NOTICE of these teachings. Therefore, it would have been obvious

to one of ordinary skill in the art to combine the multimedia messaging system of Barrus and

Trueblood with these well known teachings to obtain a messaging system wherein the media

within the message is automatically resized when the window is resized. One would be

motivated to make such a combination for the advantage of quick and easy and sizing of a

window and its contents.

18.   Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Barrus, Trueblood, and Barker.

19.   Regarding claims 12 and 13, Barrus and Trueblood teach *supra* the aggregation of at

least two tickets into at least one group.

Barrus and Trueblood fail to explicitly teach the aggregation of groups into any number

of levels of recursively nested groups, or the recursive expansion of such groups.

Barker teaches a technique for the dynamic selection of logical element data formats

based upon logical element characteristics which are established as a document is created or

modified, (at col. 1, lines 18-21), similar to the "ticket and viewer" pairs taught by Barrus. Barker

further teaches the recursive nesting of elements, such as the groups of Barrus, taught at col. 3,

lines 41-54. Barker also teaches the recursive expansion of recursively nested groups, taught

as the restoration of a parent-child relationship to the next higher level of the iterative loop, at

col. 3, lines 55-57.

Therefore, it would have been obvious to one of ordinary skill in the art, having the

teachings of Barrus, Trueblood, and Barker before him at the time of the invention to modify the

nested groups of Barrus and Trueblood to include the recursive nesting and the recursive

expansion of Barker to obtain a system of aggregating nested groups of tickets into recursively

nested groups.

One would be motivated to make such a combination for the advantage of allowing

multiple relationships to occur between two logical elements. See Barker, col. 2, lines 12-16.

20.   Claims 21, 28-30, and 62 are rejected under 35 U.S.C. 103(a) as being obvious over

Barrus, Trueblood, and Angiulo.

The applied reference has a common assignee with the instant application. Based upon

the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C.

102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37

CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the

inventor of this application and is thus not an invention "by another"; (2) a showing of a date of

invention for the claimed subject matter of the application which corresponds to subject matter

disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference

under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the

application and reference are currently owned by the same party and that the inventor named in

the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in

accordance with 37 CFR 1.321(c). For applications filed on or after November 29, 1999, this

rejection might also be overcome by showing that the subject matter of the reference and the

claimed invention were, at the time the invention was made, owned by the same person or

subject to an obligation of assignment to the same person. See MPEP § 706.02(I)(1) and §

706.02(I)(2).

21.   Regarding claims 21 and 62, Barrus and Trueblood have been shown *supra* to teach

representing information of interest with at least one ticket, each ticket comprising a

customizable dynamic encapsulated object (taught as a user's selection multimedia object for

display, at col. 26, lines 19-22), using a viewer for defining how the information of interest is

displayed (taught as a series of tests to determine the manner of display best suited for the

content, at col. 26, lines 22-26), paring at least one viewer with each ticket (taught as the display

of the multimedia object, at col. 26, lines 29-32), and hosting at least one "ticket and viewer" pair

in at least one always visible container on a display device, wherein each ticket is represented

by a thumbnail displayed in one of the containers (taught as displaying a thumbnail image of

selected information in a window, at col. 21, lines 28-33). Furthermore, it is well known in the

art that windows may be moved to a location on the screen suitable to a user, such as off to the

sides of the display, making the window a "sidebar".

Barrus and Trueblood fail to explicitly teach providing an actionable tooltip window in response to the selection of a thumbnail.

Angiulo teaches an auto thumbnail gallery for use with thumbnail images similar to these employed by Barrus. Angiulo further teaches providing an actionable tooltip window in response to the selection of a thumbnail, taught as the presentation of a thumbnail editor dialog box to the user after the selection of a thumbnail, at page 6, ¶ 0045.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Barrus, Trueblood, and Angiulo before him at the time the invention was made to modify the thumbnail viewing system of Barrus and Trueblood to include the thumbnail editing dialog box of Angiulo in order to obtain a dynamically updateable thumbnail viewing system that presents the user with actionable options upon the selection of a thumbnail.

One would be motivated to make such a combination for the advantage of allowing the user to edit certain aspects of a thumbnail, such as its size or position relative to other thumbnails in the same gallery. See Angiulo, page 6, ¶ 0047.

22.   Regarding claims 28 and 30, Angiulo teaches the user modification of a thumbnail position within a container, taught as the user ability to change the order of thumbnail in a list through the use of controls presented to the user by a dialog box, at page 6, ¶ 0047.

23.   Regarding claim 29, Angiulo allows for the automatic arrangement of thumbnails, taught as the initial population of images in response to a user's selection of a directory, at page 5, ¶ 0044.

24.   Claims 22-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barrus,

Trueblood, and Sasaki.

25.   Regarding claim 22, Barrus and Trueblood teach *supra* the display of information of

interest to a user.

        Barrus and Trueblood fail to explicitly teach the display of information of interest when

the information is a contact.

        Sasaki teaches displaying information of interest on a display screen of a user, in this

case chat information, at page 1, ¶ 0004. Sasaki further teaches displaying information related

to user contacts, at page 2, ¶ 0021.

        Therefore, it would have been obvious to one of ordinary skill in the art, having the

teachings of Barrus, Trueblood, and Sasaki before him at the time of the invention to modify the

display of information of interest of Barrus and Trueblood to include the contact information of

Sasaki in order to obtain a display of information of interest wherein the information of interest is

contact information.

        One would be motivated to make such a combination in order to keep track of the status

of a user's contacts. See Sasaki, page 1, ¶ 0009.

26.   Regarding claim 23, Sasaki allows for the presentation of a graphical indication of the

availability status of a contact, taught as the display of a symbol relating to a user's status, at

page 2, ¶ 0027.

27.   Regarding claims 24 and 26, Barrus has been shown *supra* to provide more detailed

information upon the selection of a thumbnail. Sasaki teaches the display of a person window

for tracking the availability of and chatting with contacts, at Fig. 8 and page 4, ¶ 0079.

28.   Regarding claim 25, Fig. 9 of Sasaki shows the availability status of contacts across

multiple communication channels.

29.   Regarding claim 27, Sasaki teaches the display of a historical availability of a contact by

displaying the last known status for a contact and saving the status in a status table for display

when the user participates in another session of the same channel, at page 4, ¶ 0066.

30.   Claims 31, 32, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Barrus, Trueblood, and the applicant's submitted InfoGate reference (Reference **3**), as

supported by the BotKnowledge InfoGate Review.

31.   Regarding claims 31 and 32, Barrus and Trueblood have been shown to teach *supra* a

thumbnail dynamically displaying a summary of the current state of information of interest on a

display, and increasing the size of the thumbnail.

Barrus and Trueblood fail to explicitly teach the display of additional information upon

increasing the size of the thumbnail, and less information upon decreasing the size of the

thumbnail.

InfoGate teaches a customizable toolbar used to dynamically deliver selected

information to the desktop of a user, similar to the multimedia messages of Barrus and

Trueblood. As can be seen in the image of the BotKnowledge reference, the enlarged size of

the InfoGate ticker window allows for the presentation of more information, such as stock alerts, while the decreased ticker window size displays less information.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Barrus, Trueblood, and InfoGate before him at the time of the invention to combine the resizable multimedia messages of Barrus and Trueblood with the ability to display varying amounts of information proportionate to the thumbnail size of InfoGate, to obtain a dynamically updated messaging system where varying amounts of a certain type of information may be displayed on the screen.

One would be motivated to make such a combination for the advantage of enhancing user customizability by allowing selected information to be more or less prevalent on the display, as the user sees fit. Motivation for such a combination is given by InfoGate, who teach a highly personalized desktop ticker on page 1 of the reference.

32. Regarding claim 36, InfoGate teaches the automatic display of a thumbnail at a predetermined time in response to a scheduled event for a user, taught as the use of alerts for bringing up to the moment information to the desktop toolbar as scheduled by the user, in the form of a predetermined price of stock quotes, at page 4.

33. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Barrus, Trueblood, and Brown.

34. Barrus and Trueblood have been shown *supra* to teach the display of dynamic "ticket and viewer" pairs.

Barrus and Trueblood fail to explicitly teach including with each ticket a visibility flag, where particular thumbnails are only displayed when the visibility flag is set.

Brown teaches a system related to the display of objects in a computer graphics system (col. 1, lines 7-10), similar to the objects displayed by Barrus and Trueblood. Furthermore, Brown teaches the setting of a visibility flag to determine whether or not an object is displayed on screen, similar to applicant's claimed visibility flag for particular thumbnails, at col. 9-10, lines 58-67 and 1-7.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Barrus, Trueblood, and Brown before him at the time the invention was made to modify the dynamic "ticket and viewer" pairs of Barrus and Trueblood to include the visibility flags of Brown in order to obtain a system for selectively displaying dynamically updated information.

One would be motivated to make such a combination for the advantage of selectively displaying information on a screen and improve the graphic performance of a system. See Brown, col. 3, lines 2-6.

35.   Claims 58-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barrus and Trueblood.

36.   Regarding claim 58, Barrus has been shown *supra* to teach representing information of interest with at least one ticket, each ticket comprising a customizable dynamic encapsulated object, using at least one viewer for defining how the information of interest is displayed, paring at least one viewer with each ticket, hosting at least one "ticket and viewer" pair in at least one container on a display device, and representing the pair with a thumbnail, and interacting with

the information of interest by using at least one service for each ticket. Furthermore, it is well known in the art that windows may be moved to a location on the screen suitable to a user, such as off to the sides of the display, making the window a "sidebar".

Barrus fails to explicitly teach providing the interactive information of interest in a persistent display, wherein a container is not coverable by other application windows such that the containers are always visible.

Trueblood teaches a method for always-visible windows that can be used to display information similar to the windows of Barrus used to display the "ticket and viewer" pair thumbnails, at col. 1, lines 8-11.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Barrus and Trueblood before him at the time of the invention to modify the thumbnail-containing window of Barrus to incorporate the always-visible state of Trueblood to obtain a window for viewing information that is not coverable by other application windows.

One would be motivated to make such a combination for the advantage of allowing a user to always have selected information visible on the display screen. See Trueblood, col. 2, lines 51-58.

37.   Regarding claim 59, Barrus has been shown *supra* to teach a method for interacting with, accessing, receiving, and retrieving information of interest, at cols. 20 and 21, lines 35-42 and 13-17.

38.   Regarding claim 60, Barrus has been shown *supra* to teach a ticket using at least one service to track information of interest, at col. 26, lines 19-22.

39.   Regarding claim 61, Barrus has been shown *supra* to teach a multimedia message system, wherein many media objects are incorporated into one message, and may interact with the information of interest, at cols. 20 and 21, lines 35-42 and 13-17.

40.   Claim 63 is rejected under 35 U.S.C. 103(a) as being unpatentable over Barrus, Trueblood, Angiulo, and Sasaki.

41.   Barrus, Trueblood, and Angiulo teach *supra* the persistent display of information of interest to a user.

Barrus, Trueblood, and Angiulo fail to explicitly teach the display of information of interest when the information is a contact.

Sasaki teaches displaying information of interest on a display screen of a user, in this case chat information, at page 1, ¶ 0004. Sasaki further teaches displaying information related to user contacts, at page 2, ¶ 0021.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Barrus, Trueblood, Angiulo and Sasaki before him at the time of the invention to modify the display of information of interest of Barrus, Trueblood, and Angiulo to include the contact information of Sasaki in order to obtain a display of information of interest wherein the information of interest is contact information.

One would be motivated to make such a combination in order to keep track of the status of a user's contacts. See Sasaki, page 1, ¶ 0009.

42.   Claims 64 and 65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barrus, Trueblood, Angiulo, Sasaki, and "The Notification Collage: Posting Information to Public and Personal Displays", by S. Greenberg and M. Rounding (applicant's reference **10**),

hereinafter Greenberg.

43.   Regarding claim 64, Barrus, Trueblood, Angiulo, and Sasaki teach *supra* the persistent

display of information of interest to a user, wherein the information of interest is a contact.

        Barrus, Trueblood, Angiulo, and Sasaki fail to explicitly teach the inclusion of at least one

communication access point in a tooltip window.

        Greenberg teaches a Notification Collage for keeping track of information of interest.

Greenberg further teaches the use of a pop-up menu for interacting with other users through

addresses accessed through the menu, at page 4, col. 1.

        Therefore, it would have been obvious to one of ordinary skill in the art, having the

teachings of Barrus, Trueblood, Angiulo, Sasaki, and Greenberg before him at the time the

invention was made to modify the tooltip window of Barrus, Trueblood, Angiulo, and Sasaki to

include the contact addresses of Greenberg to obtain a multimedia messaging system where

user contacts may be interacted with through the use of a pop-up interface.

        One would be motivated to make such a combination for the advantage of quickly

accessing contact information about a user of interest. See Greenberg, page 4.

44.   Regarding claim 65, Greenberg teaches identifying a best available communication

access point for a contact, taught as presenting custom interactions for specific media elements

that a user can respond to, at page 4, col. 1.

Response to Arguments

        Applicant's arguments filed 7 September 2004 have been fully considered but they are

not persuasive.

In response to applicant's arguments, the recitation "providing peripheral awareness of information of interest" has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

In response to applicant's argument that combining the tabbed windows of Barrus and the always visible windows of Trueblood would result in an inoperative combination, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981). Furthermore, applicant treats the individual tabbed windows of Fig. 4C as separate containers. The Examiner contends that the messaging interface of Barrus as shown in Fig. 4C may be treated as a single container that includes multiple tabs, and making this single container always visible allows for "a sidebar that is not coverable by other application windows such that the containers are always visible".

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Michael Roswell whose telephone number is (571) 272-4055. The

examiner can normally be reached on 8:30 - 6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Roswell
2/24/2005

RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173